

STATE OF CONNECTICUT  
DEPARTMENT OF HEALTH SERVICES  
BUREAU OF HEALTH SYSTEM REGULATION  
DIVISION OF MEDICAL QUALITY ASSURANCE

In re: A. Paul LaChapelle II  
Subsurface Sewage Disposal System  
Installer Applicant

Petition No. 881228-33-007

CONSENT ORDER

WHEREAS, A. Paul LaChapelle II of Granby, Connecticut, has made application to the Department of Health Services to be licensed as a subsurface sewage disposal system installer pursuant to Chapter 393a of the General Statutes of Connecticut, as amended; and

WHEREAS, A. Paul LaChapelle II, hereinafter referred to as the Respondent, hereby admits as follows:

1. That he does not now hold nor has he ever held a Connecticut subsurface sewage disposal system installer license.
2. That during the fall of 1988 he began to install a subsurface sewage disposal system on the Joyce Petrelli property, on Lakeview Drive in West Suffield, Connecticut.
3. That he failed to obtain or to file for the proper permits for this installation.
4. That after the North Central District Health Department told him to cease operations, he did cease.
5. That the installation, as he had planned it, would have contained the following violations:
  - a. the leaching system that he had planned was inadequate;
  - b. the distance from the water supply well to the septic system would have been insufficient per the Technical Standard IIA of Regulation §19-13-B103 of the Public Health Code of the State of Connecticut;

6. That he assisted the subsequent licensed installer, Henry Holcomb, with a proper installation on this property.
7. By his actions described in paragraphs 1, 2., 3., and 5. above, he committed acts which fail to conform to the accepted standards of subsurface sewage disposal system installers and he is subject to denial of licensure by the Department of Health Services under §19a-14 of the Connecticut General Statutes.

NOW THEREFORE, pursuant to §19a-14 of the General Statutes of Connecticut, as amended, A. Paul LaChapelle II hereby stipulates and agrees to the following:

1. That he waives his right to a hearing on the merits of this matter;
2. That when he satisfies the requirements for licensure as a subsurface sewage disposal system installer as set forth in Connecticut General Statutes §20-341e he shall be granted a subsurface sewage disposal system installer license.
3. That any license he receives to practice as a subsurface sewage disposal system installer will be suspended upon its date of issue, for six months;
4. That said suspension shall be stayed immediately, and he shall be on probation for six months under the following terms and conditions:
  - a. He shall conform to the standards of the licensed subsurface sewage disposal system installer profession including, but not limited to, the following:
    - i. he shall properly obtain all permits and exceptions;
    - ii. he shall follow the instructions or orders of the sanitarian or agents of the local department of health;

iii. he shall follow the requirements of the Connecticut Public Health Code and the Technical Standards for the Design and Construction of Subsurface Sewage Disposal Systems:

iv. the subsurface sewage disposal systems he installs must be installed pursuant to plans approved by the local department of health,

b. He shall prepare a list of all subsurface sewage disposal systems which he installs. Said list shall include the name of the property owner, location of the property, including street address and town, date permit obtained, date system completed and dates(s) system inspected by the town. Said list shall be submitted monthly to:

Frank Schaub  
Department of Health Services  
On Site Sewage Disposal Section  
150 Washington Street  
Hartford, Connecticut 06106

5. That violation of any of the conditions set forth in paragraphs 4a. through 4b. inclusive, shall result in an immediate six month suspension of his subsurface sewage disposal system installer license.
6. That he is hereby assessed a civil fine of \$100.00. Said penalty is to be paid to:

Treasurer, State of Connecticut  
Department of Health Services  
Public Health Hearing Office  
150 Washington Street  
Hartford, Connecticut 06106

Payment of the aforementioned fine by certified check shall accompany this document upon execution by A. Paul LaChapelle II.

7. That he understands that this consent order is a matter of public record.

8. That he understands that this Consent Order may be considered as evidence of the above admitted violations in any proceeding before the Department of Health Services (1) in which his compliance with this same order is at issue, or (2) in which his compliance with §20-341f of the General Statutes of Connecticut, as amended, is at issue.
9. That this Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, that said order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive him of any rights that he may have under the laws of the State of Connecticut or of the United States.
10. That this Consent Order is effective when ordered and accepted by a duly appointed agent of the Commissioner of Health Services.
11. That he understands that he has the right to consult with an attorney prior to signing this document.
12. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department of Health Services at any time prior to its approval and acceptance by the Director of Medical Quality Assurance.

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I, A. Paul LaChapelle II have read the above Consent Order, and I agree and admit to the terms and allegations set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

A. Paul LaChapelle II  
A. Paul LaChapelle II

Subscribed and sworn to before me this 17th day of April 1989.

[Signature]  
Notary Public or person authorized  
by law to administer an oath or  
affirmation

The above Consent Order having been presented to the duly appointed agent of the Commissioner of Health Services on the 19th day of

May 1989, it is hereby ordered and accepted.

[Signature]  
Stanley K. Peck, Director  
Division of Medical Quality Assurance

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